

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:		§				
Ozaki et al.		§	Group Art Unit: 1644			
		§				
		§	Examiner: Patrick Nolan			
Serial No.: 09/214,881		§				
Confirmation No.: 8089		§	Att'y Docket: 13240.0004.NPUS00			
		§				
Filed: June 7, 1999		§	Client Docket:			
		§	F5-01F03832/KA016-1US RCE			
For:	DIAGNOSTIC DRUGS FOR AUTO	§				
	IMMUNE DISEASES	§				

## INVENTOR'S DECLARATION UNDER 37 C.F.R. §1.132 AND M.P.E.P. 715.01(c) IN ACCORDANCE WITH IN RE KATZ

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

## I, JUNKO SOBAJIMA, DECLARE AS FOLLOWS:

- 1. I, along with Shoichi Ozaki, Fumio Osakada, Hiroko Uesugi, Takahiro Okazaki, Masao Tanaka, Kazuwa Nakao, Michiteru Yoshida, and Hitoshi Shirakawa, am a co-inventor of the subject matter claimed in the captioned patent application.
- 2. I understand that the Examiner in charge of assessing the patentability of this application believes that the claims of the application are obvious in view of Sobajima, et al., *Clin. Exp. Immunol.* 105:120-24 (July 1996).
- 3. I am providing the present declaration to explain that the authors S. Sumita and K. Mori, listed on the *Clin. Exp. Immunol.* reference, did not make an inventive contribution to the claims pending in said application and thus were not listed as named inventors. S. Sumita and K. Mori

worked entirely under my direction and control in contributing subject matter to the foregoing Clin. Exp. Immunol. reference.

- 4. At the time of preparing the Clin. Exp. Immunol. reference S. Sumita was a graduate student at the Graduate School of Medicine at Kyoto University. S. Sumita contributed to the published Clin. Exp. Immunol. article by providing technical support related to the collection of Western blot data. In doing so S. Sumita woked under my direction and control.
- 5. At the time of preparing the Clin. Exp. Immunol. reference K. Mori was a graduate student at the Graduate School of Medicine at Kyoto University. K. Mori contributed to the published Clin. Exp. Immunol. article by providing technical support related to the collection of ELISA data. In doing so K. Mori worked under my direction and control.
- 6. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 1, 2004

Junko Sohajima
JUNKO SOBAJIMA

IDS

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PTO/SB/21 (08-03)
Approved for use through 08/30/2003. OMB 0651-0031
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	TRANSMITTAL FORM  When the second contract of		Filing Date	June 7, 199	June 7, 1999				
,0			First Named Inventor	Ozaki					
1/42			Art Unit	1644					
PATENT			Examiner Name	Patrick No	olan	olan			
T	Total Number of Pages in This Submission		Attorney Docket Number	13240.0004	.NPUS	500			
-	ENCLOSURES (Che			all that apply)					
	Fee Transmittal Form		Drawing(s)		Technol	vance communication logy Center (TC)			
	Fee Attached		icensing-related Papers		Appeals	emmunication to Board and Interferences emmunication to TC			
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			ARD. SHOULD ANY FEE UNDER 37 CFR 1.16 to 1.21 BE DEEMED NECESSARY, THE SSIONER IS AUTHORIZED TO DEDUCT THE FEE FROM ACOUNT NO. //13240.0004.NPUS00.						
	under 37 CFR 1.52 or 1.53	under 37 CFR 1.52 or 1.53							
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	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT								
	Firm or HOWREY SIMON ARNOLD & WHITE LLP.								
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L	May 10, 2004								
_	CERTIFICATE OF TRANSMISSION/EXRESS MAILING  I hereby certify that this correspondence is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" WITH sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  NUmber: EV 318617729 US								
	Typed or printed name Christopher J. Buntel, Ph.D. Reg. 44,573								
ţ	Signature	1		<u>.</u>	Date	May 10, 2004			
`	( John J.								

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.